



**CITY OF ABSECON**  
**Municipal Complex**  
**500 Mill Road**  
**Absecon, New Jersey 08201**

**Carie A. Crone, RMC**  
**Municipal Clerk**

**Phone (609) 641-0663 x101**  
**Fax (609) 645-5098**

**CITY COUNCIL**

**February 2, 2017**

**REGULAR MEETING - 7:00 PM**

**AGENDA**

**FLAG SALUTE**

**INVOCATION – Rev. Chris “Buff” McNickle**  
**Grace Falls Church, Absecon**

**ROLL CALL**

**PRESIDENT’S STATEMENT ON THE SUNSHINE LAW**

**NOTIFICATION THAT THIS MEETING IS ELECTRONICALLY RECORDED**

**REPORTS** Council Committees  
Mayor  
Administrator  
Chief Financial Officer  
Engineer

**PUBLIC PORTION**

## **REGULAR MEETING AGENDA**

### **2017 ORDINANCES FOR INTRODUCTION**

- 01** Bond Ordinance providing for improvements to recreational areas of Turner Avenue Waterfront in and by the City of Absecon, appropriating \$500,000.00 therefore and authorizing the issuance of \$475,000.00 Bond or Notes of the City to finance part of the cost.

### **CONSENT AGENDA**

- 47** Rescinding Resolution #35-2017 appointing a full-time police officer.
- 48** Authorizing the Chief of Police to advertise for the position of full time Patrol Officer.
- 49** Authorizing the 2017 salaries for non-union employees.
- 50** Authorizing refunds of construction fees in the name of SolarCity Corporation.
- 51** Commemorating the Atlantic County Municipal Joint Insurance Fund's 30<sup>th</sup> Anniversary.
- 52** Authorizing the sale of personal property not needed for public use under N.J.S.A. 40A: 11-36.
- 53** Granting Raffles License to the City of Absecon Education Foundation.
- 54** Granting a Bingo License to the City of Absecon Education Foundation.
- 55** Authorizing the Mayor to enter into an Interlocal Agreement with the Atlantic County Improvement Authority.
- 56** Amending Resolution No. 33-2017 and directing the Absecon Planning Board to conduct a preliminary investigation as to whether or not the Absecon Creek Study Area, as amended herein, or any part or parts thereof, qualifies as a "Non-Condensation Area in Need of Redevelopment" and/or an "Area in Need of Rehabilitation" pursuant to the New Jersey Local Redevelopment and Housing Law.

**APPROVAL OF BILL LIST - \$ 1,534,816.41**

**APPROVAL OF MINUTES**

Regular Meeting Minutes – 1/19/2017

Closed Session as to form and content only – 1/19/17

**PUBLIC PORTION**

**BUDGET DISCUSSION**

**ADJOURNMENT**

**CITY OF ABSECON**

**ORDINANCE 01-2017**

**A BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO  
RECREATIONAL AREAS OF TURNER AVENUE WATERFRONT IN  
AND BY THE CITY OF ABSECON, APPROPRIATING \$500,000.00  
THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000.00 BOND OR  
NOTES OF THE CITY TO FINANCE PART OF THE COST**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABSECON, IN THE  
COUNTY OF ATLANTIC, NEW JERSEY** (not less than two-thirds of all members  
thereof affirmatively concurring) **AS FOLLOWS:**

**Section 1.** The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the City of Absecon, in the County of Atlantic, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$500,000, including the sum of \$25,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

**Section 2.** In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$475,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

**Section 3.** (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is various recreational area improvements to Turner Avenue Waterfront, including all work and materials necessary therefor or incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

**Section 4.** All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt

of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

**Section 5.** The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

**Section 6.** The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.
- (b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 15 years.
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$475,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.
- (d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

**Section 7.** The City hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The City hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the notes, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the notes. The Chief Financial Officer is hereby authorized to act on behalf of the City to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in

Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

**Section 8.** Any grant moneys received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

**Section 9.** The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the ARule@) for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

**Section 10.** The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable real property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

**Section 11.** This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

**DATED:**

**SIGNED:** \_\_\_\_\_  
John Armstrong, Mayor

**ATTEST:** \_\_\_\_\_  
Carie A. Crone, RMC, Municipal Clerk

**CITY OF ABSECON**

**RESOLUTION 47-2017**

**A RESOLUTION RESCINDING RESOLUTION NO. 35-2017  
APPOINTING A FULL-TIME POLICE OFFICER**

**WHEREAS**, Resolution No. 35-2017 was approved to fill a vacancy for a Full-Time Patrol Officer in the Police Department of the City of Absecon on January 19, 2017; and

**WHEREAS**, Andrew Morgan, currently employed with the City as a Special Law Enforcement Officer, has now indicated that he is unable to accept the position of Full Time Patrol Officer of the Absecon City Police Department.

**NOW THEREFORE, BE IT RESOLVED**, by the Mayor and with advice and consent of the Council of the City of Absecon, County of Atlantic, that Resolution No. 35-2017 is hereby rescinded, and advertisement will be made to fill the position.

**Dated: February 2, 2017**

**This is to certify that this is a true  
Copy of a Resolution adopted by the  
Council of the City of Absecon at a  
regular meeting held February 2, 2017.**

**ATTEST:** \_\_\_\_\_  
**Carie A. Crone, RMC, Municipal Clerk**

**CITY OF ABSECON**

**RESOLUTION 48-2017**

**A RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO  
ADVERTISE FOR THE POSITION OF FULL TIME PATROL OFFICER**

**WHEREAS**, The City of Absecon desires to advertise for the position of Full Time Patrol Officer at the beginning first year salary of \$40,800.00. Applicants must be Police Training Commission Certified with no prior police experience.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Absecon, County of Atlantic, that the Chief of Police is hereby authorized to place the appropriate advertisement for two full time Patrol Officers in an official newspaper of the Municipality as soon as practicable. The advertisement will include an application fee of \$50 from each applicant.

**Dated: February 2, 2017**

**This is to certify this is a true copy of  
a Resolution adopted by the Council  
of the City of Absecon at a regular  
meeting held on February 2, 2017.**

**Attest: \_\_\_\_\_  
Carie A. Crone, RMC, Municipal Clerk**



**CITY OF ABSECON**

**RESOLUTION 49-2017**

**A RESOLUTION AUTHORIZING THE 2017 SALARIES  
FOR NON-UNION EMPLOYEES**

**WHEREAS**, the City of Absecon's Mayor and Council are responsible for establishing the salaries for employees not represented by a collective bargaining unit;

**WHEREAS**, those salaries must fall within the salary ranges set forth by the most recent Salary Ordinance;

**WHEREAS**, it has been determined that employees not represented by a collective bargaining unit will receive a salary increase of 2% for the year 2017 retroactive to January 1<sup>st</sup> of the year;

**WHEREAS**, the job titles representing non-union employees are as follows:  
Administrator, City Clerk, Deputy Clerk, Tax Clerks, Tax Assessor, Tax Collector, Chief Financial Officer, Finance Specialist, Construction Official, Technical Assistant, Planning/Zoning Secretary, Sub-code Officials, Code Enforcement, Fire Inspectors, Court Administrator, Public Works Supervisor, Recycling Coordinator/Zoning Assistant, Clean Communities Coordinator, Crossing Guards, Part-time Tele-communicators, and Special Class II Officer.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Absecon that the Chief Financial Officer is hereby authorized to compensate the employees covered by this resolution, and

**BE IT FURTHER RESOLVED**, this Resolution shall take effect immediately.

**Dated: February 2, 2017**

**This is to certify that this is a true  
copy of a Resolution adopted by the  
Council of the City of Absecon at a  
Regular Meeting held February 2, 2017**

**Attest:** \_\_\_\_\_  
**Carie A. Crone, RMC, Municipal Clerk**

**CITY OF ABSECON**

**RESOLUTION 50-2017**

**A RESOLUTION AUTHORIZING A REFUND OF CONSTRUCTION  
FEES IN THE NAME OF SOLARCITY CORPORATION**

**WHEREAS**, the Construction Official, letter attached, has notified City Council of a need to refund permit fees in the amount of \$1,235.20, for several properties listed below; and

**WHEREAS** Resolution 33-2017 had previously authorized a refund for 27 Mechanic Street for an incorrect dollar amount, this amount to be corrected with this resolution; and

**WHEREAS**, payment was received for the listed properties for the installation of solar panels in which the owners have decided to cancel the installation.

**WHEREAS**, the total permit fees were \$1,544.00, with deductions for plan review fees and non-refundable DCA fees, making the refund amount \$1,235.20 to SolarCity Corporation.

#20150395	27 Mechanic St	\$238.40
#20150306	100 E. Colorado Ave	\$186.40
#20150366	444 Fourth Street	\$572.00
#20160234	116 Lisbon Ave	\$238.40

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Absecon that:

1. The Chief Financial Officer be authorized and directed to refund the amount of \$1,235.20 to SolarCity Corporation, 206 W. Parkway Drive, Suite #3, Egg Harbor Twp., NJ 08234..
2. This Resolution shall take effect immediately.

**Dated: February 2, 2017**

**This is to certify that this is a true  
copy of a Resolution adopted by the  
Council of the City of Absecon at a  
Regular Meeting held February 2, 2017**

**ATTEST:** \_\_\_\_\_  
**Carie A. Crone, RMC, Municipal Clerk**

# Memo



**To:** Jessica Thompson  
**From:** Construction Office  
**cc:** Mike O'Hagan  
**Date:** January 27, 2017  
**Re:** Refund

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Hello Jessica,

SolarCity Corporation has 4 permits that have been cancelled and are in need of a refund. Below are the permit numbers and costs associated with each property. The contractor will not be refunded the State DCA fees as well as a 20% plan review fee will be applied. Can you please process a refund check for \$1,235.20 back to SolarCity, 206 W. Parkway Drive, Suite #3, Egg Harbor Twp., NJ 08234?

Permit #	Permit Cost	DCA Fee	20% Plan View Fee	Reimbursement Total
20150306	\$ 233.00	\$ 22.00	\$ (46.60)	\$ 186.40
20150366	\$ 715.00	\$ 83.00	\$ (143.00)	\$ 572.00
20150395	\$ 298.00	\$ 29.00	\$ (59.60)	\$ 238.40
20160234	\$ 298.00	\$ 30.00	\$ (59.60)	\$ 238.40

Thank you,

Serena Vetri

Technical Assistant

**CITY OF ABSECON**

**RESOLUTION 51-2017**

**A RESOLUTION COMMEMORATING THE 30<sup>TH</sup> ANNIVERSARY OF THE  
ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND**

**WHEREAS**, the Atlantic County Municipal Joint Insurance Fund has been organized pursuant to N.J.S.A. 40A:10-36 et seq.; and

**WHEREAS**, the City of Absecon is a member of the Atlantic County Municipal Joint Insurance Fund; and

**WHEREAS**, the Atlantic County Municipal Joint Insurance Fund commenced operations on January 1, 1987 with seven charter members who, when challenged with an unfavorable market for their insurance, decided to join together to avoid the high costs and limited coverage associated with traditional insurance for fire and property, liability and workers compensation risk; and

**WHEREAS**, over the past 30 years the Fund has grown to 41 members and stands today as one of the greatest examples of an inter-local service agreement in the State of New Jersey's history; and

**WHEREAS**, municipalities participating in the ACMJIF have saved their local taxpayers millions of dollars in the form of lower premiums and the return of nearly \$31 million dollars in surplus distribution; and

**WHEREAS**, the elected officials and the municipal employees covered by the Atlantic County Municipal Joint Insurance Fund are the foundation of the Fund's success and without whose dedication to the Fund Safety and Risk Management programs the Fund would not have achieved the status it enjoys today; and

**WHEREAS**, the City of Absecon wishes to recognize and commemorate the Fund on its 30<sup>th</sup> year of successful operation.

**NOW, THEREFORE, BE IT RESOLVED**, by the City of Absecon assembled in a public session on February 2<sup>nd</sup>, 2017, that this body does hereby recognize and commemorate 2017 as the 30<sup>th</sup> year of the successful operation of the Atlantic County Municipal Joint Insurance Fund; and

**BE IT FURTHER RESOLVED** that the City of Absecon wishes to acknowledge this 30<sup>th</sup> Anniversary as a milestone event in the history of the Fund and wishes the Fund continued success for many years to come; and

**BE IT FURTHER RESOLVED**, that a copy of this Resolution shall be provided to the Executive Director of the Atlantic County Municipal Joint Insurance Fund for his information and distribution to the membership.

**Dated: February 2, 2017**

**This is to certify that this is a true  
copy of a Resolution adopted by the  
Council of the City of Absecon at a  
Regular Meeting held February 2, 2017**

**Attest: \_\_\_\_\_  
Carie A. Crone, RMC, Municipal Clerk**

**CITY OF ABSECON**  
**RESOLUTION 52-2017**

**A RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY  
NOT NEEDED FOR PUBLIC USE UNDER N.J.S.A. 40A: 11-36**

**WHEREAS**, the Council of the City of Absecon has deemed certain property as no longer being needed for public use or they are vehicles abandoned or failure of the owners to reclaim; and

**WHEREAS**, the Council of the City of Absecon are desirous of selling said surplus and abandoned property in an "as is" condition without express or implied warranties.

Various electronic equipment, public works equipment and bicycles.

- (1) The sale of the surplus property shall be conducted through GovDeals pursuant to State Contract A-70967/T2581 in accordance with the terms and conditions of the State Contract. The terms and conditions of the agreement entered into with GovDeals is available online at govdeals.com and also available from the City Clerk of the City of Absecon at 500 Mill Rd, Absecon, NJ 08201 during the hours of 8:30am to 4:30pm Monday through Friday. The sale will be conducted online and the address of the auction site I GovDeals.com.
- (2) The sale is being conducted pursuant to Local Finance Notice 2008-9.

**NOW, THEREFORE BE IT RESOLVED**, by the Council of the City of Absecon, that the City authorizes sale of said property in accordance with N.J.S.A. 40A: 11-36.

**BE IT FURTHER RESOLVED**, all municipal employees are prohibited from purchasing items set forth above.

**Dated: February 2, 2017**

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Regular Meeting held February 2, 2017**

**ATTEST:** \_\_\_\_\_  
**Carie A Crone, RMC, Municipal Clerk**

**CITY OF ABSECON**

**RESOLUTION 53-2017**

**A RESOLUTION GRANTING SEVERAL RAFFLE  
LICENSES TO THE ABSECON EDUCATION FOUNDATION**

**WHEREAS**, The Absecon Education Foundation, has applied for a license to conduct several types of raffles at 800 Irelan Avenue on March 3<sup>rd</sup>, 2017.

**NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ABSECON,**  
that

1. The following facts are hereby found and determined:
  - (a) The Applicant is qualified.
  - (b) The members designated to conduct the raffle are bona-fide active members.
  - (c) The members designated to conduct the raffle are of good moral character and have never been convicted of a crime.
  - (d) The Raffle will be conducted according the Raffles Licensing Law and the Rules of the Legalized Games of Chance Control Commission.
  - (e) The proceeds are to be disposed of for a purpose permitted by the Raffles Licensing Law.
  - (f) There is satisfactory proof that no payment will be made for conducting the Raffle or assisting therein except to the extent allowed by the law.
  - (g) There is satisfactory proof that the award is of the nature and amount allowed by the Raffles Licensing Law.
  - (h) The rental to be paid for equipment, if applicable, does conform to the schedule of authorized rental prescribed by the Rules of the Control Commission.
  - (i) The license is granted.
2. The City Clerk is hereby authorized and directed to execute and deliver the proper certificates of the aforesaid Findings and Determinations in the Form prescribed and specified by the Legalized Games of Chance Control Commission.

**Dated: February 2, 2017**

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Council of the City of Absecon at a  
regular meeting held February 2, 2017.**

**ATTEST: \_\_\_\_\_  
Carie A. Crone, RMC, Municipal Clerk**

**CITY OF ABSECON**

**RESOLUTION 55-2017**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER  
INTO AN INTERLOCAL AGREEMENT WITH THE ATLANTIC  
COUNTY IMPROVEMENT AUTHORITY**

**WHEREAS**, the City of Absecon has agreed to participate in the Atlantic County Community Development Block Grant Program (CDBG), for FY 2016; and

**WHEREAS**, as a participant, the City of Absecon expects to be allocated \$24,036.00 for fiscal year(s) 2016 for the project known as Senior Transportation Services; and

**WHEREAS**, in order to be allocated CDBG funds, the City of Absecon must enter into an interlocal service agreement with the Atlantic County Improvement Authority, the administrator of the Atlantic County CDBG Entitlement Program.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Absecon, that the Mayor is hereby authorized to sign an agreement with the Atlantic County Improvement Authority authorizing the Atlantic County Community Development Block Grant Program for the project known as Senior Transportation Services.

**Dated: February 2, 2017**

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Copy of a Resolution adopted by the  
Council of the City of Absecon at a  
regular meeting held February 2, 2017.**

**ATTEST: \_\_\_\_\_  
Carie A. Crone, RMC, Municipal Clerk**



## **CITY OF ABSECON**

### **RESOLUTION 56-2017**

#### **A RESOLUTION AMENDING RESOLUTION NO. 33-2017 AND DIRECTING THE ABSECON PLANNING BOARD TO CONDUCT A PRELIMINARY INVESTIGATION AS TO WHETHER OR NOT THE ABSECON CREEK STUDY AREA, AS AMENDED HEREIN, OR ANY PART OR PARTS THEREOF, QUALIFIES AS A "NON-CONDEMNATION AREA IN NEED OF REDEVELOPMENT" AND/OR AN "AREA IN NEED OF REHABILITATION" PURSUANT TO THE NEW JERSEY LOCAL REDEVELOPMENT AND HOUSING LAW**

**WHEREAS**, there exists in the City of Absecon, Atlantic County, New Jersey ("City") an area generally bound by the White Horse Pike (US Route 30) to the South, Shore Road (US Route 9) and the properties fronting the western side of Absecon Creek to the west, Faunce Landing Road to the north and the properties fronting the eastern side of Absecon Creek to the east ("Absecon Creek Study Area" or "Study Area"), which has exhibited for some time and continues to exhibit conditions of deteriorated housing, commercial and industrial installations, public services and facilities and other physical components and supports of community life, and improper, or lack of proper, development, which result from forces which are amenable to correction and amelioration by the concerted effort of responsible public bodies, and without this public effort are not likely to be corrected or ameliorated by private effort; and

**WHEREAS**, in addition to the conditions of the Study Area as described, the Absecon Creek waterbody has been identified by City policymakers as an under-utilized environmental amenity which could, if properly utilized, become a catalyst for the revitalization of the Study Area. Unfortunately, natural siltation has reduced the navigable area of the Creek, and the October 2012 storm event known as "Superstorm Sandy" has caused portions of the shoreline along the Creek to deteriorate and become unstable, thereby threatening the integrity of the improvements in the Study Area; and

**WHEREAS**, in 1992, the New Jersey Legislature empowered municipalities to address conditions as described by adopting the Local Redevelopment & Housing Law (N.J.S.A. 40A:12A-1 et seq., the "Redevelopment Law") the purpose of which is to provide municipalities with the tools and powers necessary to (re)plan abandoned, deteriorated, obsolescent or unproductive/under-productive portions of a municipality and to actively redevelop said areas into productive assets for the community. Such tools include the power to modify land use and other zoning controls, to acquire private property deemed necessary to effectuate redevelopment, to clear said lands, to install infrastructure and/or other site improvements and to negotiate and enter into partnerships with public and private entities in order to accomplish certain defined municipal goals and objectives; and

**WHEREAS**, in late-2015, the City applied for and received grant funding from the Atlantic County Improvement Authority to undertake the necessary studies and pursue the Statutory process necessary to determine if the Study Area, or any part or parts thereof, qualifies as a "Condemnation Area In Need of Redevelopment" and/or an "Area In Need of Rehabilitation" under the Redevelopment Law; and

**WHEREAS**, the first step in the Redevelopment/Rehabilitation process is for a municipal Governing Body to direct the municipal Planning Board, via Resolution, to undertake what the Redevelopment Law terms a "Preliminary Investigation" to determine if an area meets the statutory criteria under which it may be declared to be In Need of Redevelopment pursuant to sections 5 and 6 of the Redevelopment Law or In Need of Rehabilitation pursuant to section 14 of such Redevelopment Law; and

**WHEREAS**, amendments to the Redevelopment Law adopted in 2013 expressly requires that any Resolution authorizing a Planning Board to undertake the Preliminary Investigation explicitly state whether or not a redevelopment area determination shall authorize the municipality to use the power of eminent domain to effectuate an eventual Redevelopment Plan by designating the process to be in furtherance of a Condemnation Area In Need of Redevelopment; and

**WHEREAS**, on January 21<sup>st</sup>, 2016 via Resolution No. 33-2016, the City Council of the City of Absecon directed the Absecon Planning Board:

1. To conduct the necessary investigation and undertake the necessary steps to determine whether or not the Study Area or any part or parts thereof, as depicted on the map attached to such Resolution and made apart thereof, meets the statutory criteria for a Condemnation Area in Need of Redevelopment or, in the alternative, whether the Study Area meets the statutory criteria for an Area in Need of Rehabilitation.
2. Upon completion of the preliminary investigation and the public hearing thereon, submit its findings and recommendations to the City Council in the form of a Resolution with supportive documentation.

And

**WHEREAS**, Resolution No. 33-2016 further stated, in pertinent part:

1. In the event the governing body shall designate the Study Area as a Redevelopment Area, the City shall be authorized to use all the powers provided under the Redevelopment Law for use in a redevelopment area, including the power of eminent domain; and
2. Consistent with N.J.S.A. 40A: 12A-6b(1), immediately post such Resolution, together with the map attached thereto, with the City Clerk, which shall serve as the statutorily-mandated statement forth the Basis for the preliminary investigation.

And

**WHEREAS**, the Planning Board, on February 24<sup>th</sup>, 2016 via Board Resolution No. 1-2016, accepted the directive of City Council, placed the Resolution and Study Area Map on file with the City Clerk, and assigned the task of undertaking the Preliminary Investigation to Remington, Vernick & Walberg Engineers ("RVW"), licensed Professional Planners in the State of New Jersey; and

**WHEREAS**, during the course of the Preliminary Investigation, certain lots under evaluation appeared as if they may not qualify under the various criteria required for Redevelopment Area designation pursuant to N.J.S.A. 40A:12A-5 or Rehabilitation Area designation pursuant to N.J.S.A. 40A:12A-14, and which, given the information known at the time, could not definitively be deemed to be necessary, with or without change in their condition, for the effective redevelopment/rehabilitation of any eventual Redevelopment/Rehabilitation Area pursuant to N.J.S.A. 40A:12A-3; and

**WHEREAS**, after full and careful consideration, the City is not prepared to exercise the power of eminent domain to acquire private property for redevelopment purposes.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Absecon hereby amends City Resolution No. 33-2016 to:

1. Amend the Absecon Creek Study Area to include all of those Blocks, Lots and right-of-way as depicted on the map attached hereto and made a part hereof (the "Amended Study Area").
2. Re-direct the Absecon Planning Board as follows:
  - a. Consistent with N.J.S.A. 40A:12A-6b(1), to immediately post with the City Clerk the attached Amended Study Area map and this Resolution which shall serve as the statutorily-mandated statement setting forth the bases for this preliminary investigation.
  - b. To conduct the necessary investigations and undertake the necessary steps to determine whether or not such Amended Absecon Creek Study Area, or any part or parts thereof, meets the statutory criteria for a Non-Condensation Area in Need of Redevelopment pursuant to the Redevelopment Law (N.J.S.A. 40A:12A-5 and 6) or, in the alternative, whether the Amended Study Area meets the statutory criteria for and Area in Need of Rehabilitation pursuant to N.J.S.A. 40A: 12A-14;
  - c. Upon completion of the preliminary investigation and the public hearing thereon, to submit its findings and recommendations to the City Council in the form of a Resolution with supportive documentation.
3. In the event the governing body shall designate the Amended Study Area, or any part or parts thereof, as a Non-Condensation Redevelopment Area and/or and Are In Need of Rehabilitation, the City shall be authorized to use all the powers provided under the Redevelopment Law for such designated areas, except the power of eminent domain.

**Dated: February 2, 2017**

**This is to certify that this is a true  
Copy of a Resolution adopted by the  
Council of the City of Absecon at a  
regular meeting held February 2, 2017.**

**ATTEST: \_\_\_\_\_  
Carie A. Crone, RMC, Municipal Clerk**

January 31, 2017  
01:41 PM

City of Absecon  
Bill List By Vendor Id

Page No: 1

P.O. Type: All      Include Project Line Items: Yes      Open: N      Paid: N      Void: N  
Range: First      to Last      Rcvd: Y      Held: Y      Aprv: N  
Format: Condensed      Bid: Y      State: Y      Other: Y      Exempt: Y

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
9722 ASCAP	17-00029	01/13/17	2017 LICENSE AGREEMENT	Open	341.00	0.00		
9729 SOUTH JERSEY ENERGY	17-00103	01/31/17	MONTHLY BILLING GAS SUPPLIER	Open	2,021.23	0.00		
A0016 COUNTY OF ATLANTIC	17-00066	01/19/17	2017 1Q TAXES	Open	935,485.04	0.00		
A0020 ATLANTIC COUNTY MAYORS ASSOC.	17-00028	01/13/17	2017 DUES	Open	350.00	0.00		
A0034 ABSECON CITY PAYROLL ACCOUNT	17-00062	01/19/17	PAYROLL 01/19/17	Open	230,560.10	0.00		
A0187 ABSECON EQUITIES II, LLC	17-00081	01/26/17	RELEASE PERFORMANCE BOND	Open	97,583.30	0.00		
A0209 ADVANCE AUTO PARTS	17-00086	01/26/17	AUTO SUPPLIES	Open	46.64	0.00		
A0253 ATLANTIC CITY ELECTRIC	17-00097	01/30/17	MONTHLY BILLING	Open	6,249.45	0.00		
A0259 ACMJIF	17-00065	01/19/17	2017 1Q ASSESSMENT	Open	111,206.00	0.00		
A0269 ATLANTIC COAST ALARM	17-00005	01/12/17	2017 FIRE ALARM MONITORING	Open	120.00	0.00		
C0128 CLEGG'S GARAGE INC	17-00084	01/26/17	VEHICLE MAINTENANCE	Open	1,585.15	0.00		
C0201 COMCAST	17-00072	01/23/17	MONTHLY BILLING	Open	145.88	0.00		
D0052 DEPOSITORY TRUST	17-00064	01/19/17	BOND INTEREST DUE 2/1/17	Open	20,650.00	0.00		
E0006 ERCO	16-01232	12/19/16	SHADES	Open	4,560.00	0.00		
E0069 EAGLE POINT GUN SHOP	16-01231	12/19/16	AMMUNITION	Open	7,338.10	0.00		
E0070 ED & GENE'S KING TIRE LLC	17-00068	01/23/17	VEHICLE MAINTENANCE	Open	401.89	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
E0073 EMERGENCY COMMUNICATIONS	17-00015	01/12/17	2017 CODE RED SERVICE	Open	500.00	0.00		
F0038 FARINELLI ELECTRIC	17-00070	01/23/17	SOCCER FIELD LIGHTING	Open	6,952.00	0.00		
G0041 GALLOWAY ACE HARDWARE, INC.	17-00093	01/27/17	SUPPLIES - FIRE DEPT.141511	Open	67.47	0.00		
H0066 THE HOME DEPOT CREDIT SERVICE	17-00094	01/27/17	SUPPLIES	Open	21.03	0.00		
H0083 HORIZON BLUE CROSS	17-00063	01/19/17	FEBRUARY 2017 DENTAL	Open	3,682.00	0.00		
H0088 HOMETOWN VARIETY & FRAMING	17-00095	01/27/17	SUPPLIES	Open	30.00	0.00		
J0033 JERSEY FIRE & SAFETY PRODUCTS	16-01164	12/01/16	GEAR & THERMAL IMAGING CAMERA	Open	10,098.53	0.00		
M0153 MUNIDEX INC	17-00001	01/12/17	2017 SOFTWARE MAINTENANCE	Open	486.40	0.00		
M0193 MASER CONSULTING P.A.	17-00069	01/23/17	PROFESSIONAL SERVICES	Open	701.25	0.00		
M0194 W B MASON CO INC	17-00051	01/18/17	OFFICE SUPPLIES	Open	82.68	0.00		
N0003 STATE OF NJ HEALTH BENEFITS PR	16-01260	12/31/16	DECEMBER 2016 HEALTH BENEFITS	Open	72,929.44	0.00		
N0037 NJ PLANNING OFFICIALS	17-00026	01/12/17	2017 MEMBERSHIP DUES	Open	370.00	0.00		
O0001 OLD DOMINION BRUSH CO.	17-00090	01/26/17	LEAF MACHINE PARTS	Open	3,095.00	0.00		
P0014 PEDRONI FUEL CO	17-00088	01/26/17	GASOLINE	Open	865.26	0.00		
R0038 RUTGERS, THE STATE UNIVERSITY	17-00073	01/23/17	TAX COLLECTION II COURSE	Open	1,091.00	0.00		
R0079 V.E. RALPH	17-00083	01/26/17	MEDICAL SUPPLIES	Open	324.00	0.00		
S0019 SOUTH JERSEY GAS CO.	17-00102	01/31/17	MONTHLY BILLING	Open	2,569.73	0.00		
S0246 JAMES P SWIFT	17-00098	01/30/17	REIMB. FOR LEGAL FEES	Open	150.00	0.00		

Vendor # Name	PO #	PO Date	Description	Status	Amount	Void Amount	Contract	PO Type
T0104 PATTY TOWN	17-00100	01/31/17	ABTV HOURS	Open	125.00	0.00		
T0114 SANDRA THOMPSON	17-00096	01/30/17	ABTV HOURS	Open	700.00	0.00		
U0021 UNITED METHODIST CHURCH	17-00101	01/31/17	DECEMBER 2016 SENIOR SERVICES	Open	5,140.86	0.00		
V0001 VITAL COMMUNICATIONS INC	17-00035	01/13/17	UPDATED 2017 MODIV MASTER	Open	100.00	0.00		
	17-00075	01/24/17	BALANCE OF POSTAGE & POST CARD	Open	718.36	0.00		
					818.36			
V0012 VISION SERVICE PLAN (EA)	17-00074	01/23/17	FEBRUARY 2017 VISION	Open	233.53	0.00		
V0022 VERIZON	17-00071	01/23/17	MONTHLY BILLING	Open	198.09	0.00		
W0044 WASZEN BROTHERS	17-00087	01/26/17	JETTING & CLEANING SERVICE	Open	2,400.00	0.00		
W0053 WATCH GUARD VIDEO	16-01108	11/14/16	BODY CAMERA COMPUTER SUPPORT	Open	1,785.00	0.00		
W0072 WTH TECHNOLOGY, INC	17-00014	01/12/17	2017 CONSULTING & SUPPORT	Open	756.00	0.00		

Total Purchase Orders:	44	Total P.O. Line Items:	0	Total List Amount:	1,534,816.41	Total Void Amount:	0.00
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